

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,  
BENCH AT AURANGABAD.

WRIT PETITION NO. 4032 OF 2015

|                                     |      |             |
|-------------------------------------|------|-------------|
| Vijaysing s/o Ishwarsing Rajput     | .... | Petitioner  |
| vs                                  |      |             |
| The State of Maharashtra and others | ...  | Respondents |

----

Mr. S. S. Thombre, Advocate for petitioner  
Mr. V. G. Shelke, Asstt. Govt. Pleader for respondent no. 1  
Mr. S.T. Shelke, Advocate for respondents no. 2 and 3

CORAM : SUNIL P. DESHMUKH, J.  
DATE : 9TH APRIL, 2015

ORDER

1. Learned counsel for the petitioner vehemently submits that as a matter of fact, nomination form of the petitioner was produced and he was given token, however, since there was long queue the petitioner could not physically submit and handover the same to the election officer before expiry of the period stipulated for the same.

2. On instructions, learned counsel for the State Election Commissioner has a different version, submitting that the petitioner had not tendered his original nomination form before expiry of the period stipulated and tried to submit the same belatedly. He submits that entire operation has been video recorded.

3. Taking into account aforesaid, disputed question of facts arise. In such a scenario, I am not inclined to interfere with the the election programme and grant indulgence to the petitioner.

4. Petition, as such, is not being entertained and is rejected. It would, however, be open for the petitioner to take all such contentions as are taken in the writ petition, in the proper remedy available before the appropriate forum.

SUNIL P. DESHMUKH, J.

pnd